

**72-5-403 Transportation corridor preservation powers.**

- (1) The department, counties, and municipalities may:
  - (a) act in cooperation with one another and other government entities to promote planning for and enhance the preservation of transportation corridors and to more effectively use the money available in the Marda Dillree Corridor Preservation Fund created in Section 72-2-117;
  - (b) undertake transportation corridor planning, review, and preservation processes; and
  - (c) acquire fee simple rights and other rights of less than fee simple, including easement and development rights, or the rights to limit development, including rights in alternative transportation corridors, and to make these acquisitions up to a projected 30 years in advance of using those rights in actual transportation facility construction.
- (2) In addition to the powers described under Subsection (1), counties and municipalities may:
  - (a) limit development for transportation corridor preservation by land use regulation and by official maps; and
  - (b) by ordinance prescribe procedures for approving limited development in transportation corridors until the time transportation facility construction begins.
- (3)
  - (a) The department shall identify and the commission shall approve transportation corridors as high priority transportation corridors for transportation corridor preservation.
  - (b) The department shall notify a county or municipality if the county or municipality has land within its boundaries that is located within the boundaries of a high priority transportation corridor.
  - (c) The department may, on a voluntary basis, acquire private property rights within the boundaries of a high priority transportation corridor for which a notification has been received in accordance with Section 10-9a-509 or 17-27a-508.

Amended by Chapter 121, 2012 General Session